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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, :

Plaintiff, :

- v - : DEFAULT JUDGMENT

08 Civ. 2833 (CM)

\$1,837,905 IN UNITED STATES
Currency,

:

Defendant-in-rem. :

WHEREAS, on March 18, 2008, the United States commenced a civil action for the forfeiture of the above-referenced defendant-in-rem ("defendant currency") by the filing of a verified complaint;

WHEREAS, on March 24, 2008, notice of the verified complaint was sent by certified mail, return receipt requested, to: David C. Scheper, Esq., Overland Borenstein Scheper & Kim LLP, 300 S. Grand Avenue, Ste. 2750, Los Angeles, CA 90071 and Michael C. Miller, Esq., Steptoe & Johnson LLP, 750 Seventh Avenue, New York, NY 10019; notifying them that they and or their clients may have an interest in this action, and of their right to file a claim and answer and contest the forfeiture;

WHEREAS, the foregoing are the only persons known by the Government to have a potential interest in the defendant currency;

WHEREAS, notice of the Verified Complaint and <u>in rem</u> warrant against the defendant currency was also published in the New York Post once in each of the three successive weeks beginning on April 10, 2008, and proof of such publication was filed with the Clerk of this Court on May 15, 2008;

WHEREAS, notice of civil forfeiture was also posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on March 25, 2008, as required by Rule G(4)(a)(iv)(C) of the supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court on June 3, 2008;

WHEREAS, no claims or answers were filed or made in this action, and no parties have appeared to contest the action to date, and requisite time periods have expired;

NOW THEREFORE, on the motion of Michael J. Garcia,
United States Attorney for the Southern District of New York,
attorney for the plaintiff United States of America, Sharon Cohen
Levin and Stanley J. Okula of counsel;

IT IS HEREBY ORDERED that:

- l. Plaintiff United States of America shall have judgment by default against the defendant currency.
- 2. The defendant currency be, and the same hereby is, forfeited to the plaintiff United States of America.
- 3. The United States Department of Treasury shall dispose of the defendant currency, according to law.

Dated:

New York, New York

July , 2008

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so ordered:

HONORABLE COLLEEN MCMAHON UNITED STATES DISTRICT JUDGE